

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ROOSEVELT DEAN,

Plaintiff,

CASE NO. 07-CV-11822

-VS-

GABRIEL SEIBT and TODD
PARSONS

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Defendants.

ORDER DISMISSING CASE FOR FAILURE TO PROSECUTE CLAIMS

Now before the Court is Defendant Todd Parsons' Motion for Summary Judgment and Motion to Dismiss (Dkt. No. 20) and Defendant Gabriel Seibt's Motion for Summary Judgment and Motion to Dismiss (Dkt. No. 24, 26). A hearing on the matter was held on February 25, 2009. Plaintiff Roosevelt Dean ("Plaintiff"), representing himself *in pro per*, did not appear at the hearing, nor did he file a response to either of Defendants' Motions.

The Court has not heard from Plaintiff since he appeared for a hearing on his former attorney's motion to withdraw as counsel to Plaintiff, which was held on July 31, 2008. After the hearing, the Court granted Plaintiff's counsel's motion to withdraw and ordered Plaintiff to obtain new counsel within forty-five days. In the event that Plaintiff did not obtain new counsel, Plaintiff instructed the Court that he was to be contacted at 2514 Clements, Detroit, Michigan 48238.

Plaintiff has not informed the Court of his efforts to obtain new counsel. As a result, the Court sent a notice to Plaintiff at 2514 Clements, Detroit, Michigan 48238, informing Plaintiff of the upcoming hearing on Defendants' Motions. After the first notice was returned to the Court marked "VACANT UNABLE TO FORWARD," the Court sent a second notice to the same address,

Plaintiff's only known address, again informing him of the upcoming hearing.

Accordingly, the Court finds that Plaintiff has failed to prosecute his claims, and therefore **DISMISSES WITHOUT PREJUDICE** his Complaint.

SO ORDERED.

S/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: February 26, 2009

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on February 26, 2009.

S/Denise Goodine
Case Manager